

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ELIZABETH R. EVANS

PLAINTIFF

V.

CIVIL ACTION NO. 1:12CV247-SA-SAA

**OKTIBBEHA COUNTY, MISSISSIPPI, GLENN
HAMILTON, INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY AS CIRCUIT CLERK OF OKTIBBEHA
COUNTY, MISSISSIPPI, MARVEL HOWARD, DANIEL
JACKSON, JOHN MONTGOMERY, ORLANDO K. TRAINER,
and JOE WILLIAMS, INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES AS MEMBERS OF THE BOARD
OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI**

DEFENDANTS

ORDER ON MOTION TO DISMISS

Defendants Oktibbeha County, Glenn Hamilton, Marvel Howard, Daniel Jackson, John Montgomery, Orlando Trainer, and Joe William's Motion to Dismiss [4] is GRANTED. Service of process was both untimely and constitutionally insufficient. All named defendants are dismissed with respect to both their individual and official capacities.

SO ORDERED, this the 29th day of July, 2013.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE